

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	
)	
NORFOLK SOUTHERN RAILWAY)	
COMPANY, <i>et al.</i> ,)	Case No. 2:18-cv-530
)	
<i>Defendants.</i>)	

NOTICE OF MOTION TO FILE DOCUMENTS UNDER SEAL

This serves as notice, pursuant to Local Rule 5(C), that Defendant Norfolk Southern Railway Company (“NS”) have moved the Court to seal from public disclosure the following documents: NS’s unredacted Memorandum in Support of Motion in Limine Regarding Discontinuance of the Diamond Track and Exhibits A, B, and C.

These documents have been designated “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL,” or “CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by Plaintiff CSX Transportation, Inc. (“CSX”) and contain highly confidential and sensitive information relating to CSX’s transportation and shipping practices, business strategy, internal communications, and other highly confidential, proprietary, and sensitive business information, release of which would harm CSX.

Any party or non-party may submit memoranda in support of or in opposition to this Motion within seven (7) days, designating all or part of such memoranda as confidential. Any information designated as confidential in a supporting or opposing memoranda will be treated as sealed pending a determination by the Court on the Motion to Seal. Any person objecting to this

Motion must file an objection with the Clerk within seven (7) days after the filing of this Motion.

If no objection is filed in a timely manner, the Court may treat the Motion as uncontested.

Dated: May 6, 2021

Respectfully submitted,

/s/ Alan D. Wingfield

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